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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 3830-13
C##M#

ALLEN et al.

Group Art Unit: Not Yet Assigned

Serial No. To Be Assigned

Examiner: Not Yet Assigned

Filed: January 6, 2004

Date: January 6, 2004

Title: SHUTTLE CAR WITH FIXED HEIGHT DISCHARGE BOOM (As Amended)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. One copy of the reference(s) is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- ☒ This Information Disclosure Statement ("IDS") is being filed within three (3) months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.
- ☐ This IDS is being filed more than three (3) months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- ☐ a. I hereby certify that each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this IDS. 37 C.F.R. 1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR§1.56(c) more than three (3) months prior to the filing of this IDS. 37 C.F.R. 1.97(e)(2).
- ☐ c. Attached is a check in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Acct No. 14-1140 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.
- ☐ This IDS is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Attached is our check in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 14-1140 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.
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- ☐ Relevance of the non-English language reference(s) is discussed in the present specification.
- ☐ The reference(s) was/were cited in a counterpart foreign application. An English language version of the foreign search report is attached for the Examiner's information.
- ☐ A concise explanation of the relevance of the non-English language reference(s) appears in the Appendix hereto.
- ☐ The Examiner's attention is directed to co-pending U.S. Patent Application No. _____, filed _____, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
- ☒ Copies of the references were cited by or submitted to the Office in parent Application No. 10/380,061 (filed April 2, 2003), which is relied upon for an earlier filing date under 35 U.S.C. 120. Thus, Form PTO-1449 is attached without copies of these references. 37 C.F.R. 1.98(d).

☐ Other.

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By Atty: Alan M. Kagen, Reg. No. 36,178

Signature: Alan M. Kagen

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INFORMATION DISCLOSURE CITATION

~~ATTY. DOCKET NO.~~

3830-13

SERIAL NO.

To Be Assigned

APPLICANT

ALLEN et al.

(Use several sheets if necessary)

FILING DATE

January 6, 2004

GROUP

Not Yet Assigned

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

							TRANSLATION	
DOCUMENT			DATE	COUNTRY	CLASS	SUBCLASS	YES	NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

		Exide-Ironclad Battery Advertisement, Coal Age, March, 1954, p. 225.
		Joy 20AH27 Articulated Hauler Brochure, Date Unknown, 3 pgs.
*Examiner		Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

Form PTO-FB-A820 (Also PTO-1449)